II. Remarks and Arguments

Claims 1 to 8 are pending. Claims 1 to 8 have been amended. Support for amended claim 1 can be found in the specification paragraphs [0005], [0007], [0011] and [0012]. It is respectfully submitted that no new matter has been added by virtue of these amendments.

Rejection under 35 U.S.C. § 102(b)

Claims 1, 2, 7 and 8 were rejected under 35 U.S.C. § 102(b) as being anticipated by Maller (U.S. Patent No. 6,256,185).

Maller discloses a solenoid control module for supplying a first voltage to perform mechanical work and a second voltage to perform a mechanical hold function without prematurely burning out the solenoid coil assembly. The solenoid control module described in Maller is an electric circuit that controls the solenoid, wherein the circuit includes a first voltage control means (providing the solenoid with an electrical voltage for a predetermined period of time); a second voltage control means (providing the solenoid with a pulse-width modulated voltage) having a free wheeling diode for maintaining a continuous current through the solenoid during the pulse width modulation; and a transient suppressing means for protecting the circuit from an over voltage (See: col. 2, line 29 through col. 3, line 3).

Independent claim 1 has been amended to recite:

> *1. An electromagnetic regeneration valve for venting a tank of a motor vehicle, the regeneration valve being actuatable by pulse-width modulation and having a pulsed mode and a proportional mode having a higher frequency than the pulsed mode comprising:*
>
> *a solenoid, and circuitry configuration including:*
>
> *a power source for supplying the solenoid with electricity;*
>
> *a control unit for generating pulse-width-modulated signals;*
>
> *a switching device, the solenoid capable of receiving the pulse-width-modulated signals of the control unit via the switching device; and*
>
> *a suppression device for suppressing high induced voltages at the*

solenoid, the solenoid in the proportional mode having a position corresponding to a mean current level.

The Maller patent does not disclose or suggest "an electromagnetic regeneration valve... being actuatable by pulse-width modulation and having a pulsed mode and a proportional mode having a higher frequency than the pulse mode comprising: a solenoid, and circuitry configuration, ...the solenoid in the proportional mode having a position corresponding to a mean current level" as claimed in independent claim 1 of the present invention. Accordingly, independent claim 1 of the present invention is not anticipated by the Maller patent. As claims 2, 7, and 8 depend from claim 1, these claims are also not anticipated by the Maller patent.

Withdrawal of the rejections under 35 U.S.C. §102(b) is respectfully requested.

Rejection under 35 U.S.C. § 103(a)

Claims 5 and 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Maller in view of Klotz et al. (U.S. Patent No. 4,915,204).

As discussed above with regard to the 35 U.S.C. §102(b) rejection, Maller does not disclose or suggest an electromagnetic regeneration valve as claimed in independent claim 1. Accordingly, dependent claims 5 and 6 of the present invention would not have been obvious over the Maller patent in view of the Klotz patent. Withdrawal of the rejections under 35 U.S.C. §103(a) is respectfully requested.

Claims 3 and 4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Maller in view of Stumpf (U.S. Patent No. 4,851,959). Maller does not disclose or suggest an electromagnetic regeneration valve as claimed in independent claim 1 of the present invention. Accordingly, dependent claims 3 and 4 of the present invention would not have been obvious over the Maller patent in view of the Stumpf patent. Withdrawal of the rejections under 35 U.S.C. §103(a) is respectfully requested.

CONCLUSION

It is respectfully submitted that the present application is in condition for allowance and applicants respectfully request such action.

Respectfully submitted,

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